

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

DEABLO D. LEWIS,

Plaintiff,

V.

HARRISON COUNTY JAIL.

Defendant.

CIVIL ACTION NO. 6:22-CV-00282-JDK

**ORDER ADOPTING REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**


Plaintiff Deablo Lewis, proceeding *pro se*, filed this civil rights action on July 25, 2022. (Docket No. 1.) The case was referred to United States Magistrate Judge John D. Love for findings of fact, conclusions of law, and recommendations for the disposition of the action. On September 22, 2022, Judge Love issued a Report, (Docket No. 5), recommending that the case be dismissed without prejudice for failure to comply with a court order and failure to prosecute. No objections to the Report were filed, and the time period for filing objections has passed.

Because objections to Judge Love's Report have not been filed, Plaintiff is barred from de novo review by the District Judge of those findings, conclusions, and recommendations and, except upon grounds of plain error, from appellate review of the unobjected-to proposed factual findings and legal conclusions accepted and adopted by the district court. *Douglass v. United Services Auto. Ass'n*, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc).

The Court has reviewed the pleadings in this cause and the Report of the Magistrate Judge. Upon such review, the Court has determined that the Report of the Magistrate Judge is correct. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir.), cert. denied, 492 U.S. 918, 109 S.Ct. 3243 (1989) (holding that where no objections to a Magistrate Judge's Report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law.>").

Accordingly, it is hereby **ORDERED** that the Magistrate Judge's Report (Docket No. 5) is **ADOPTED**. This action is **DISMISSED** without prejudice for failure to comply with a court order and failure to prosecute.

So **ORDERED** and **SIGNED** this **2nd** day of **November, 2022**.



JEREMY D. KERNODLE
UNITED STATES DISTRICT JUDGE